THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.23577 and 23844 OF 2007

Date: 19.11.2007

W.P.NO.23577 of 2007

Between:

Smt. Karreddula Papa … Petitioner.

And

The Sub-Inspector of Police,
Sandolu Police Station,
Sandolu, Guntur District and others. …. Respondents.

And

W.P.No.23844 of 2007

Smt. Kareeddula Papamma … Petitioner.

And

The Station House Officer,
Chilakaluripet, Guntur District
and & another. … Respondents.

ORAL ORDER: **(per A. Gopal Reddy, J)**

Taken Up Writ Petition No.23844 of 2007 and W.P.No.23577 of 2007 can be disposed of together by a common order as they arise out of the same cause of action.

Telegram dated 4.11.2007 sent by Smt. K. Papamma wife of Gandhi, resident of Vedullapalli alleging that her nephew Gothala Srinu alias Polisetti Srinivasa Rao and his wife Adilakshmi and another were illegally detained by the police of Guntur Range Party and were not produced before the Court and she apprehends danger to their lives, was taken up as Writ Petition No.23844 of 2007.

On 5.11.2007 the very same writ petitioner but named as Karreddula Papa wife of Gandhi, resident of Vedullapalli filed W.P.NO.23577of 2007 alleging that respondents 1 to 3 and their police

constables came to the residence of the detenus in a Tata Sumo on the midnight of 31.10.2007 and forcibly took custody of Polisetti Srinu and his wife Polisetti Adilakshmi and since then they are in the illegal custody of the respondents and were not produced before the jurisdictional Magistrate.

A common counter-affidavit has been filed by the Circle Inspector of Police, Bapatla Circle, Guntur District stating that the alleged detenus Polisetti Srinu @ Gothala Srinu, Adilakshmi and one Uppu Ramana were arrested by the Police of Piduguralla Police Station Guntur District in connection with Cr.No.178 of 2007 under Sections 457 and 380 IPC on 15.1.2007 and were produced before the I Additional Munsif Magistrate, Gurazala on 16.11.2007 and on such production the learned Magistrate remanded them to judicial custody and they were now lodged at Sub-Jail, Guntur. It is further averred that the above crime was registered on the basis of a complaint dated 1.11.2007 lodged by one Smt. B. Venkataravamma wife of Peera Reddy of Piduguralla Village complaining that she and her husband went to Hyderabad on 27.10.2007 to see their children and when they returned to their house on 1.11.2007, they found the back doors of their house were opened and found that seven sovereigns of gold ornaments and one cell phone were stolen by some unknown culprits. On 16.11.2007 on receipt of credible information the S.I. of Police, Piduguralla along with his staff rushed to Island Centre, Piduguralla and caught hold of the alleged Polisetti Srinu @ Gothala Srinu who was trying to run away on seeing the police and on examination he confessed that he along with his family members committed house burglaries in and around Piduguralla during night time and police recovered gold ornaments from his possession pertaining to Cr.No.178 of 2007. He also confessed that he along with his family members committed offences under sections 457 and 380 IPC in Cr.Nos.110 and 131 of 2007 of Piduguralla P.S. Thereafter, all the alleged detenus were arrested and produced before the I Additional Munsif Magistrate, Gurazala on 16.11.2007 and on such production, they were remanded to judicial custody and they were now ledged at Sub-Jail, Guntur. The counter thus denies the allegations about the illegal detention of the detenus.

From the averments made in the counter, it is clear that the alleged detenus were arrested in connection with several criminal cases registered against them for the offences punishable under sections 457 and 380 IPC and they were remanded to judicial custody pursuant to lawful orders passed by the jurisdictional Magistrate.

The learned counsel appearing for the petitioner fairly submitted that since the alleged detenus were arrested in connection with criminal cases registered against them and were remanded to judicial custody, no cause survives in the writ petition.

In the circumstances, both the writ petitions are dismissed.

_____

A. GOPAL REDDY, J

_____

19th November, 2007 **NOOTY RAMAMOHANA RAO, J**

vtv